

State of Children's Rights Webinar: Special Protection Measures

Child Justice System

Together Scotland

30th June 2020

CYCJ Theory of Change

Children & young people flourish



Practice and policy improvements



Practice Development

- Advice
- Peer support
- Consultancy support
- Trying out initiatives
- Guidance
- Toolkits
- Training
- Supporting change projects

Research

- New knowledge
- Synthesising research evidence
- Evaluating initiatives
- Supporting evidence use

Knowledge Exchange

- Capturing knowledge
- Promoting sharing
- Disseminating, improving access & accessibility
- Integrating forms of knowledge

Priority areas in 2019 Report

- Minimum age of criminal responsibility
- Children in adult courts
- Criminal records
- Life imprisonment

What about this time?



SUMMARY: RIGHTS RESPECTING?
SCOTLAND'S APPROACH
TO CHILDREN IN CONFLICT
WITH THE LAW

January 2020

Claire Lightowler, Centre for Youth & Criminal Justice

'Be Brave for Our Rights' shield by Tammy Henderson, supported by The Children's Parliament

Rights Respecting?

- Scotland would benefit from thinking about children in conflict with the law from the perspective of rights
- Making upholding rights the basis of what we look to 'do' through the *youth justice system*

Priority issues

- Poverty discrimination
- Understanding and participation
- Children in adult courts
- Hidden, restrictive practices
- Ignoring the child victim
- Criminal records
- Intensive community based supports
- Children who commit the most serious offences
- 16/17 year olds

Recommendations

- Define children as under 18
- Social inclusion and social justice as prevention
- Strengthen the participation of children in conflict with the law
- Uphold the rights of victims
- Strengthen early intervention and diversion
- A shared responsibility approach-community/family support
- Support the specific needs of children in conflict with the law
- Appropriate approach to children's criminal records
- Ensure due process for all children
- Improve our approach to the deprivation of children's liberty
- Respect the rights of children who commit the most serious harms and wrongs

Impact of COVID-19

- Delays to court process and Children's Hearings
- Changes in offending/offence types
- Responses to non-compliance with restrictions, including wider criminalisation
- Relationship difficulties and conflict in the home
- Basic needs and access to services
- Children who are deprived of their liberty
- Police contact

Discussion

- What are the major children's human rights concerns?
- Are there any new developments or issues that have arisen since Together's 2019 report, or anything that is missing?
- What needs to happen to ensure children's human rights are protected, respected and fulfilled?
- What are the top three issues that Together should include in its report to the UN Committee? Why have you chosen these?